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Report of the Secretary-General on the Sudan pursuant to paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), paragraph 15 of Security Council resolution 1564 (2004) and paragraph 17 of Security Council resolution 1574 (2004)

I. Introduction

1. Unlike earlier reports submitted pursuant to Security Council resolutions 1556 (2004), 1564 (2004) and 1574 (2004), the present report documents the overall performance by the Government of the Sudan and the rebel movements in terms of action taken to fulfil obligations and commitments related to Darfur over the period of approximately six months, from the signing of the joint communiqué on 3 July 2004 (S/2004/635, annex) and the adoption of resolution 1556 (2004) to the present.

2. The joint communiqué, which I concluded with the Government of the Sudan, recognized the urgent need to stop Janjaweed and other outlawed armed groups from targeting civilians in Darfur. It committed the Government to deploy a strong and credible police force, ensure the absence of militia in areas surrounding internally displaced persons camps, start immediately to disarm Janjaweed and armed outlaw groups and help to rebuild the confidence of the vulnerable population and ensure the voluntary return of the displaced persons. It also provided for a Joint Implementation Mechanism to appraise implementation of the communiqué.

3. While the current conflict started with the armed rebellion against the Government of the Sudan in February 2003, most of the violence against civilians resulted from a scorched earth policy adopted by the armed militias that gave rise to the forced displacement of almost 2 million people within Darfur and across the border into Chad. This led the Security Council to determine, in its resolution 1556 (2004), that the conflict in the Sudan constituted a threat to international peace and security and to stability in the region and to call upon the Government under chapter VII of the Charter of the United Nations to fulfil immediately commitments made in the joint communiqué. The Council demanded that the Government fulfil its commitment to disarm Janjaweed militias and apprehend and bring to justice Janjaweed leaders and their associates who have incited and carried out violations of human rights and international humanitarian law and other atrocities, and expressed its intention to consider further actions, including measures as provided for in Article 41 of the Charter on the Government in the event of non-compliance.

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4. On 5 August, the Joint Implementation Mechanism adopted a plan of action for the implementation of the commitments in the joint communiqué. It was agreed that the Government should lay out a road map detailing actions it would take within 30 days, covering certain regions and selected militias over which the Government has influence. This was on the understanding that these measures should start the disarmament process and help to achieve a measurable and substantial improvement in the security situation. Actions to be taken by the Government included the redeployment of military forces from contact with civilians in areas within a radius of 20 kilometres (km) around selected centres where internally displaced persons are concentrated (excluding territory occupied by the armed movements) and the deployment of a police force with enhanced capacity to ensure security in these areas (by the provision of extra vehicles and arms). Other measures included the establishment of a high-level committee to collect weapons, backed by incentives and punitive measures, and efforts to arrange for reconciliation between tribes. The participants in the Joint Implementation Mechanism viewed each of these steps as part of a process that had to lead, as soon as possible, to security and protection of civilians in all parts of Darfur. It was also made clear by my Special Representative and the United Nations partners — and was agreed to by the Government — that improvement in the initial areas identified by the Government should not be accompanied by a deterioration of security conditions in other areas. There could be no trade-off in security conditions. On the contrary, the measures taken in the initial areas should serve as a model for the entire Darfur region.

II. Security situation

5. The past six months have seen the Government progressively implement some of the elements from a range of obligations in the security, human rights, humanitarian and political spheres. Progress has been neither steady nor even and some areas have been completely neglected.

6. In paragraph 19 of my report of 30 August 2004 (A/2004/703), I noted that "the disarming of members of the Popular Defense Forces has started. The second joint verification mission observed a demobilization ceremony of about 300 soldiers in Western Darfur." However, such initial moves on disarmament soon came to a halt. Since September 2004, there has been no evidence of disarmament at all. Equally, there has been no evidence that the Government has arrested the perpetrators of the attacks against civilians in accordance with the joint communiqué and resolution 1556 (2004). In its resolution 1564 (2004), the Security Council declared its grave concern that the Government had not fully met its obligations noted in resolution 1556 (2004) and the joint communiqué. Disarmament and arrest of the perpetrators of these brutal acts is the single most important demand of the Council and the clearest case of failure by the Government to live up to its responsibilities.

7. Over the last six months, fighting in Darfur involving Government forces, the armed movements and militia allied to the Government has continued. September saw breaches on both sides, attacks and counter-attacks, revenge and retaliation. Although the Government made some progress according to the plan of action, namely the deployment of police forces, they did not implement their commitment to stay out of areas under the control of the armed movements. Clashes occurred in

areas within the 20 km areas which were occupied by the armed movements. This development was the exact opposite to that intended by the plan. Therefore, at the end of September, the Joint Implementation Mechanism agreed on measures to harmonize the implementation of the plan of action with existing elements of the N'Djamena ceasefire agreement of 8 April 2004 so as to reduce the chances of such consequences being repeated.

8. After September 2004, militia attacks on civilians continued and the Sudan Liberation Army too sustained their attacks, against police forces in particular. The violence intensified in October with ceasefire violations from both sides increasing throughout the month. The Sudan Liberation Movement/Army (SLM/A) sought to claim a wider area of Darfur as being under their control, taking positions along several routes of strategic importance. This led to greater insecurity on the roads and a rise in commodity and transport costs. The Government attempted to consolidate its positions and extend the territory under its control, taking advantage of the fact that the rebels did not disclose their positions as required in the N'Djamena ceasefire agreement. The humanitarian protocol signed in Abuja on 10 November gave both sides the chance to wipe the slate clean. They pledged an end to attacks and committed themselves to ending reprisals or retaliation for acts that had taken place before the agreement. In spite of this opportunity, November saw SLM/A aggressively violating its commitment to the protocol in a marked rise in attacks against police positions.

9. On the eve of the next round of talks in Abuja on 7 December, the Government began a series of offensive operations it termed "road clearing", in particular in Southern Darfur. In fact, these operations, which included de facto coordination with militia, involved not only clearing the roads, but ground up to 20 km on each side. The "clearing" involved the burning of villages and looting, causing additional displacement. It ceased in mid-December. In January, the authorities informed the United Nations and partners that it intended to launch a similar operation in Northern Darfur. However, the Government responded to concerns by the United Nations and partners by postponing or suspending the "clearing" — on the condition that the African Union carries out road patrols. The African Union expressed its willingness to do so. However, operations resumed in mid-January and coincided with militia attacks, in that they took place in the same area and at the same period. So a pattern arose of a combination of military and militia forces attacking rebel positions and burning villages. The attack on Hamada village on 13 January 2005 represented a particularly severe case, with large numbers of women and children killed. On 26 January, more attacks occurred in Gereida and Shangil Tobai, the latter being currently under investigation by the African Union.

10. In its resolution 1564 (2004), the Security Council urged, inter alia, the Government to refrain from conducting military flights in and over the Darfur region in accordance with its commitments. Since the adoption of the resolution, helicopters and other aircraft previously used for bombing have continued to be utilized in support of operations up to the present month. This is contrary to the commitment of the Government in the protocol of 9 November 2004 on security in Darfur, to refrain from conducting hostile military flights in and over the Darfur region. The Government has stated repeatedly that military commanders have been instructed not to bomb. In the last meeting of the Joint Implementation Mechanism, the Government announced disciplinary action against any commander who would act against this instruction. However, as the Council heard in a briefing on

31 January, reports of bombings continue up to the present and the most recent case is under investigation by the African Union monitors.

11. The last six months have seen a substantial increase in lawlessness, in particular banditry and abduction, which have dramatically increased since October. This not only threatens the people of Darfur directly, but also interrupts the seasonal movement of livestock and impairs the delivery of vital humanitarian aid by attacks on transporters, looting, closure of roads and even attacks against humanitarian workers.

12. In summary, although attacks on civilians by militia did not occur on the massive or systematic scale seen in the months prior to the joint communiqué, these attacks have continued and intensified lately.

III. Human rights

13. The joint communiqué committed the Government to undertake measures to end impunity, investigate reported cases of violations and ensure that all individuals and groups accused of human rights abuse were brought to justice without delay. There has been little progress in concrete measures. The Government has informed the United Nations and others of a limited number of prosecutions and convictions of Janjaweed and members of regular and semi-regular security forces, but they apparently were not persons with leadership responsibility for major human rights abuses. The report of the Independent Investigation Committee established by the Government in May 2004 was released in January 2005. It states that serious violations of human rights were committed in the three Darfur States and that all parties were involved. It concludes that genocide did not occur and that the number of persons killed was exaggerated and did not in fact exceed a few thousand. It found that rapes and crimes of sexual violence were committed but as they were not widespread or systematic, they do not amount to crimes against humanity. The national Committee recommended that judicial investigation committees concerned with the following allegations be established: extrajudicial executions; the capture by Arab groups of two villages of the Fur tribe in Kas locality; and incidents of killing and burning some of the wounded in hospitals in Buram, Meleit and Kelebs villages. The President has directed the formation of a Judicial Inquiry Committee and an Inventory of Losses and Reparations Committee, each chaired by a high court judge. The report of the Committee thus differs substantially from the findings of the International Commission of Inquiry as regards the scale and systematic nature of the crimes committed and the responsibility of the Government of the Sudan. The report of the Commission was transmitted to members of the Security Council on 31 January 2005.

14. The same pattern of human rights violations has been reported throughout the period by United Nations human rights observers and others. The incidence of killings of civilians has varied according to the slackening or intensification of military operations, but January 2005 saw large-scale killings of civilians in villages in Southern Darfur, accompanied by reports of abduction and rape. Frequent rape continues to be reported by internally displaced persons when women venture out of camps. Victims have no confidence that reporting violations to the authorities will lead to serious investigations and indeed fear that it may lead to harassment. The Government has cooperated in programmes to train police in human rights law, but

there is little evidence that they have followed through by making them responsible for upholding it. Some access to detainees in police or prison custody has been permitted, but not as yet to the national security or military intelligence detention centres from which most reports of torture emanate.

15. In some areas, the Government has responded to representations. It issued, and then further amended, a circular regarding medical examinations in criminal investigation procedures with the intention of ensuring that victims of rape could seek medical aid, in public hospitals or private clinics, without having first filed a complaint with the police, but that medical evidence would be available if a criminal case proceeded. This circular has been welcomed, but is yet to be effectively disseminated or reflected in practice at the local level.

16. The Government has cooperated in the deployment of United Nations human rights observers to Darfur. A team of eight observers was deployed by the High Commissioner for Human Rights to the three state capitals of Darfur in mid-August. Since then their number has doubled to 16, in addition to her Special Adviser, and more observers and United Nations Volunteers are being recruited. When all are deployed, total staffing will be 72 international observers, including 21 United Nations Volunteers.

17. The International Commission of Inquiry established under resolution 1564 (2004) commenced its work on 25 October. After just over three months, its report was submitted to the United Nations and the Government of the Sudan before full publication. Its conclusions have serious implications for the accountability of government officials and its recommendations must be carefully considered by the Council as it determines what approach should be taken to finally end abuse and impunity in Darfur. Some of its recommendations to the Sudanese authorities can and should be implemented immediately, including to grant the International Committee of the Red Cross and the United Nations human rights monitors full and unimpeded access to all those detained in relation to the situation in Darfur.

IV. Humanitarian issues

Access

18. The joint communiqué committed the Government to implement a moratorium on access restrictions for all humanitarian work in Darfur and remove various obstacles to humanitarian work. As a result of these and earlier measures, humanitarian access improved significantly and allowed the number of international humanitarian personnel in Darfur to increase, from about 320 in July 2004 to more than 800 in January 2005, bringing the total of the humanitarian workers, including Sudanese staff, operating in the region to approximately 9,000.

19. Humanitarian access on the ground has expanded steadily over the last six months, with assessment and delivery activities increasingly reaching out to more isolated areas. However, insecurity replaced official restrictions as the main obstacle to humanitarian access since about October 2004 and attacks by the rebel movements have been further impeding humanitarian access since about November 2004. Recent insecurity in parts of Northern and Southern Darfur has led to the temporary closure of major roads and key areas of operation for the United Nations

and many of its partners, repeatedly preventing access to more than 300,000 people in need. Since December 2004, the level of humanitarian access has continued to decline in rebel-controlled areas owing to the frequent lack of cooperation by field commanders and a lack of communication between them and their leadership.

20. Recent months have seen the intensification of other disturbing trends, particularly harassment of and violence against humanitarian workers in Darfur. During an attack on Labado, Southern Darfur, on 17 and 18 December, a Médecins Sans Frontières aid worker was shot dead and a number of national staff remain unaccounted for at the time of writing. Save the Children-UK decided to cease its operations in all three Darfur states and withdrew its 350 staff members owing to the tragic deaths of four of its staff in two separate incidents over the past two months, leaving significant gaps in the provision of service in the areas in which they were operating.

21. December and January saw increasing harassment of international non-governmental organizations (NGOs) by local authorities, particularly in Southern Darfur. In a worrying sign that earlier progress is being rolled back, systematic arrests, false and hostile accusations through national media outlets and outright attacks were combined with renewed restrictions on travel permits and visa applications. Almost all NGOs operating in Southern Darfur faced some form of intimidation that delayed and restricted their operations. Though responsible for the overwhelming majority of incidents, the Government is not the only party guilty of intimidating humanitarian workers and denying Darfurians access to humanitarian assistance. Rebel groups have also detained and harassed humanitarian workers and confiscated humanitarian assets, such as vehicles and water drills. Allegations of political and proselytizing activity directed at NGOs, largely unfounded, are counterproductive and risk undermining the critical efforts of those brave and resourceful organizations that work together with the Sudanese to address the humanitarian crisis in Darfur.

22. The Darfur Humanitarian Profile for 1 September 2004 estimated that of more than 1.8 million people affected by the conflict in Darfur (an increase of 340,000 since 1 August), just over half were provided with shelter and non-food items, roughly half were provided with food and had access to primary health services and less than half had access to clean water. As at 1 November, the number of conflict-affected persons, including internally displaced persons, host communities and others in need of relief, had risen to 2.3 million, more than one third of the estimated pre-conflict population in Darfur of 6 million. Last month, the increase of the number of conflict-affected persons in the Darfur crisis continued this upward trend with 62,000 additional internally displaced persons recorded. The total number of conflict-affected persons known to the humanitarian community has now reached approximately 2.5 million.

23. While the number of people receiving food assistance increased until December, with 1.5 million people reached, deliveries in January may be below this level as a result of insecurity, a surge in demand for commercial transport and recent unrest in Port Sudan. General non-food item distribution has reached 76 per cent of internally displaced persons. Approximately half of the affected population received clean water and sanitation services and access to primary health-care facilities and basic drug supplies was also available for about half of the targeted populations.

24. Preliminary results of the three-day polio vaccination campaign launched countrywide in the Sudan on 10 January indicated that the campaign has been exceptionally successful, including in Darfur, owing partly to the compliance with the days of tranquillity requested by my Special Representative of all the parties during the immunization. Two additional rounds of polio vaccinations are planned in February and March.

25. Owing to insecurity and the limited capacity of agencies, serious assessment of the condition of the population outside the internally displaced persons gatherings covered by humanitarian assistance has not been possible. The collapse of the agricultural sector and the destruction of traditional coping mechanisms in the Darfurs, as outlined in previous assessments, such as a report of the International Committee of the Red Cross and a report of the World Food Programme/Food and Agriculture Organization of the United Nations, both released in November 2004, forecasted a bleak picture, including drought and a seed famine. The insecurity has also driven up the prices of goods, which in turn compounds the demands on aid agencies as more people seek food relief.

Return and relocation

26. In the plan of action signed on 5 August 2004, the Government committed itself to signing an agreement with the International Organization for Migration (IOM) to oversee and assist in the voluntary return of internally displaced persons. This agreement was signed by the Government, IOM and the United Nations on 21 August. Since the Management and Coordination Mechanism was established, progress has been made in reaching definitions of appropriateness and voluntariness and establishing standard operating procedures, and these definitions have been practically implemented. However, in November 2004, the Management and Coordination Mechanism ruled relocations conducted in Nyala town, Southern Darfur as "inappropriate" and "involuntary".

27. Progress on involuntary returns must be seen in the context of a deteriorating overall problem of long-term camp residence and redisplacement of families that have been forced to move more than once owing to fresh violence. In December and January, international partners made an effort to provide assistance to some 18,000 internally displaced persons dispersed in the triangle Sharia-Labado-Muhujariya as a result of Government offensives in the area. These efforts are essential and commendable, but additional violence in the area is constantly challenging and stretching the capacity of humanitarian agencies.

28. Life for internally displaced persons in the camps is getting worse. Overcrowded camps are leading to increasing agitation among internally displaced persons, reflected in an increase in violent crime this month. In the first week of the month, an argument between two male internally displaced persons in Otash camp, one of the many camps in Nyala town, resulted in the intervention of police and subsequent killing of one of the internally displaced persons. In another incident, on 15 January, an internally displaced person was shot dead by police in Abu Shouk camp in Northern Darfur, when he and another internally displaced person were collecting water after curfew hours. Some discussions have been initiated to resolve this issue, including discussions on voluntary relocation of some of the internally displaced persons in the larger camps.

29. In Southern Darfur, agencies continue to prepare for the relocation of internally displaced persons from overcrowded camps of some locations in Nyala and Kalma camp. IOM is working with leaders of internally displaced persons, Government authorities and the humanitarian community to ensure an appropriate and voluntary relocation. In Northern Darfur, the largest camp for internally displaced persons in the state, Abu Shouk, has been overwhelmed with more than 20,000 new arrivals from violence in many locations during the past two months. Following the failure to find water sources at a proposed relocation site, agencies are currently discussing alternative solutions. As a temporary measure, however, the new arrivals are receiving humanitarian assistance in Abu Shouk.

30. In Western Darfur, IOM deployed a Verification and Monitoring Unit to El Geneina on 13 and 14 January to determine the voluntariness and appropriateness of the proposed movement of internally displaced persons to the El Madrassa site outside town. In collaboration with internally displaced persons and local authorities, humanitarian agencies in El Geneina town have successfully completed the voluntary relocation of internally displaced persons from 11 public building sites in El Geneina over the past few months.

Funding

31. A total of US$ 1.14 billion has been recorded towards the Darfur crisis since September 2003. This covers contributions to United Nations agencies, NGOs and the Red Cross in Chad and Darfur and contributions to the African Union ceasefire-monitoring mission, the latter amounting to $176 million. Of the total amount, $824 million is registered as cash contributions and $313 million as in kind contributions. The food sector was the largest recipient of funds, accounting for close to 35 per cent of the total funds for the Darfur crisis.

32. The United Nations 2005 work plan for the Sudan, which was launched on 30 November, has received positive responses from donors, with some funds already pledged for the consolidated plan. However, agencies are experiencing a serious shortage of cash that is urgently required to continue and expand operations in Darfur and build up capacity in the east and south of the country. In order to prevent funding shortfalls, the United Nations system has produced a timeline for requirements within the work plan throughout 2005. According to the timeline projection, a total of $322 million is required for United Nations activities in Darfur by January 2005. I again appeal to donors for early and generous contributions to meet these requirements now.

V. Political issues

33. Both the Government and the rebel movements are obligated to negotiate in good faith in order to reach a political settlement to the crisis in Darfur. In the joint communiqué, the Government has committed itself to resume talks with the rebel movements to that end. In its resolution 1556 (2004), the Security Council urged the parties, including SLM/A and the Justice and Equality Movement to conclude an agreement without delay. In its resolution 1574 (2004), the Council reiterated the obligation of the parties to negotiate in good faith in order to reach an agreement speedily. The parties themselves have committed themselves, in various agreements

and protocols that they have signed since the N'Djamena Humanitarian Ceasefire Agreement of 8 April 2004, to reach a political settlement to the Darfur crisis.

34. Over the last six months, the parties have been engaged in various rounds of negotiations in Abuja led by the African Union mediation team, with the active participation of the United Nations and other representatives of the international community. In the first round, held in August 2004, the parties were able to agree on an agenda which included humanitarian issues, security, political questions and socio-economic issues. The parties have also agreed on a protocol to improve the humanitarian situation in Darfur, but the rebel movements refused to sign it before an agreement is reached on security issues. The Government, however, committed itself in the framework of the Joint Implementation Mechanism, to respect the provisions of the unsigned protocol. The movements refrained from making a similar commitment. In the second round, held in Abuja in late October, the parties resumed negotiation of a protocol to strengthen the ceasefire and improve the security situation in Darfur. Progress in the negotiation was difficult owing to the intransigence of both sides. After arduous bargaining, the parties agreed on a watered-down text that simply reiterated their commitments under the N'Djamena agreement and various Security Council resolutions. Again, the movements refused to sign the security protocol until all items of the agenda were agreed. In its resolution 1564 (2004), the Security Council urged the parties to sign these protocols, which they finally did on 10 November 2004. A third round was held in Abuja on 10 December 2004 to launch the negotiation of an agreement on political issues. This round was expected to discuss a declaration of principles that would lay the foundation for a political settlement. However, internal disputes on the part of SLM/A, combined with a governmental "road clearing" operation launched in Darfur on the eve of the negotiations, derailed the talks. The parties left with a joint commitment to resume talks in Abuja by the end of January, a commitment they have so far been unable to honour. The African Union and its partners are currently engaged in diplomatic efforts to ensure the success of the next round of talks, expected to be held in late February or early March.

35. It is obvious that the Darfur political process has not succeeded so far in bearing the hoped-for fruits. This is due mainly to the complexities of the crisis in Darfur, the lack of confidence between the parties fuelled by the continuous violations of the ceasefire and compounded by both parties succumbing to the temptation of improving their military and political positions before moving to the critical phase of the negotiation. However, the signing of a Comprehensive Peace Agreement in Naivasha, Kenya, on 9 January 2005 could radically alter the political context in the Sudan and offer a unique opportunity to find a political settlement in Darfur quickly. The implementation of the Comprehensive Peace Agreement would create a new Government in Khartoum that is more representative and more attentive to the grievances of marginalized people. It also establishes a model to address the claims of participation and power-sharing among the various regions and groups of the Sudan. Finally, it creates a new, participatory and democratic process that is designed to lead to the drafting of a new constitution and to general elections.

36. The Darfur political process could benefit from this new opportunity if the parties, especially the rebel movements, focus their energy in the coming round on agreeing on a substantive and meaningful declaration of principles. Such a declaration would address the core issues of power and wealth-sharing as well as the

integration of Darfur peace talks into the emerging process of national reconciliation in the Sudan. The declaration should also open avenues to broaden the Darfur political process beyond its signing. The conflict in Darfur is multidimensional and its resolution would require not only an end to the marginalization of that region and the restitution of the rights of its inhabitants, but also a serious effort of reconciliation among the different components of the Darfurian population. A balanced and realistic involvement of all Darfurian tribes, groups and movements would be necessary to give any political agreement the support it needs. Engaging representatives of other social groups, especially representatives of the victims of violence, would also be necessary to restore the social fabric in the Darfur region. Mechanisms to settle claims related to the conflict will have to be identified and agreed to by representatives of the Darfurian tribes and social groups. These mechanisms would require the neutral and transparent support of the Government, with active international involvement.

VI. Cooperation in Darfur between the United Nations and the African Union

37. The Security Council, in its resolution 1556 (2004), welcomed the readiness of the African Union to lead on the peacekeeping and security areas in Darfur. It also stressed the need for the Government to facilitate the work of the African Union monitors, in accordance with the N'Djamena ceasefire agreement and the Addis Ababa agreement of 28 May for the deployment of an African Union observer mission to monitor the ceasefire. On 7 September 2004, President Obasanjo, in his capacity as current Chairman of the African Union, informed me of the decision of the Union to strengthen its presence in Darfur. He added that substantial support would be required from the international community in order to implement the decision, a point he reiterated in his statement to the Security Council at its 5043rd meeting on 24 September 2004.

38. In early August I dispatched a team of United Nations experts to African Union headquarters in Addis Ababa and to the Sudan. From 4 to 17 August 2004, the team worked in close collaboration with the African Union Commission to produce a comprehensive plan, including the operational concept and all logistical, support and budgetary requirements related to an expanded African Union mission in the Sudan (AMIS). Beyond its applications for Darfur-based activities, the support reflected requirements necessary in managing and directing complex field operations.

39. The establishment of the United Nations Assistance Cell in Addis Ababa has helped to enhance cooperation between the United Nations and the African Union. The Cell now includes military, police and logistics experts and provides a more suitable basis for the ad hoc assistance that has been extended to date. Under the authority of my Special Representative, the Cell has played an active role in support of the enhanced African Union mission. A United Nations military liaison officer has already been attached to the African Union Ceasefire Commission headquarters at Al Fasher, Northern Darfur. The United Nations Advance Mission in the Sudan is establishing four offices in the region to facilitate liaison and cooperation with the African Union peacekeeping efforts in the field.

40. On 20 October, the African Union Peace and Security Council issued a communiqué on the situation in Darfur, announcing that it would increase its mission in Darfur to 3,320 persons, comprised of 2,341 military personnel, including 450 observers and up to 815 civilian police. It also expanded the mandate of the mission beyond the terms of the N'Djamena agreement. The strength of AMIS now stands at 1,846, with 1,410 protection troops, 7 civilian police, 11 Ceasefire Commission staff, 35 military police and 368 military observers. General Henry Anyidoho (Rtd), head of the United Nations Assistance Cell in Addis Ababa, deployed to his duty station on 20 January 2005. The newly appointed African Union Police Commissioner for Darfur, Annan Pillay (South Africa), reported for duty in Addis Ababa on 21 January and will shortly be proceeding to Darfur.

41. In December 2004, two disturbing incidents took place. On 4 December, an African Union military observer was deliberately targeted, sustaining a gunshot wound to the shoulder. On 19 December, an African Union helicopter carrying a team of Union observers was shot at by unidentified attackers in Southern Darfur. No injuries were reported, but the helicopter sustained a number of gunshot holes. Again, on 31 January 2005, an AMIS patrol investigating ceasefire violations in the area of Shangil Tobai was fired upon in the proximity of craters that appeared to confirm allegations of bombing.

42. When the African Union force was deployed, it was hoped that more effective monitoring of the Humanitarian Ceasefire Agreement would contribute to building confidence between the parties. Considering the continuing reports of ceasefire violations and the lack of progress in the talks, the results have been less than expected. However, the presence and pro-active initiatives taken by the African Union mission have surpassed expectations. The mission has facilitated the movement of humanitarian relief, prevented the escalation of violence by mediating between groups of fighters and moving to pre-empt attacks by deploying to likely flashpoints. The African Union force is also providing a valuable neutral assessment of the situation, defusing tensions through diplomatic efforts and providing security by its presence. It needs and deserves the continued and enhanced support of the entire international community.

VII. Concluding observations

43. Performance by the Government of the Sudan in complying with its commitments and obligations over the past six months has been uneven. Humanitarian access in Darfur has improved dramatically owing to the gradual lifting of restrictions on humanitarian assistance delivery since last summer. However, action on human rights, in particular measures to end impunity, have fallen far short of what the Government agreed to and what the Security Council has demanded. The Government has shown willingness to make progress in the political talks in Darfur. However, fighting on the ground continues and those responsible for atrocious crimes on a massive scale go unpunished. Militias continue to attack, claiming they are not part of any agreement. The Government has not stopped them.

44. Over this period, the rebel movements have become less cooperative in talks. Their attacks on police have increased and often seemed intended to invite retaliation. These attacks and provocations have at times indirectly impaired humanitarian access. Some rebel groups have directly impeded humanitarian work

by looting cars and trucks and putting pressure on, or even abducting, national staff of humanitarian organizations. Many of these actions have severely reduced the delivery of assistance.

45. The number of civilians affected by conflict has continued to grow at a rate that has outpaced the ability of humanitarian agencies to provide for their basic needs. Inability to reach those in need is due in large part to the fighting, but also to rising banditry and interference from armed forces on both sides. Humanitarian workers are increasingly subjected to threats and intimidation by government and rebel forces in addition to facing random dangers from military action, banditry and armed robbery.

46. While the deployment of the African Union mission has provided some protection to the people of Darfur, it has not stopped the parties or the militias from violating the ceasefire or attacking civilians. These violations not only threaten the security and safety of the people of Darfur, but on more than one occasion they have also interrupted progress in the political talks. This is why I have suggested that future talks in the Abuja process de-link security and humanitarian issues from political ones, allowing the parties to focus their attention on designing the implementing institutions that will follow an agreement.

47. The United Nations and the African Union are engaged in complementary peace support efforts in the Sudan. The African Union leads the political mediation as well as the ceasefire monitoring and verification efforts in Darfur, while the United Nations is engaged in the delivery of humanitarian assistance and in reporting on the overall situation in Darfur to the Security Council. The implementation of the Comprehensive Peace Agreement would create a number of tasks for the proposed United Nations peace support operation, which I will recommend to the Council. In addition to monitoring and verifying the north-south ceasefire, the proposed operation would, if mandated by the Security Council, assist in addressing the root causes of conflict in the whole of the Sudan and in facilitating the establishment of durable peace countrywide on behalf of the United Nations system. Peace in the Sudan is indivisible and so should be the efforts to facilitate it. In its resolution 1556 (2004), the Security Council requested me to begin contingency planning for the Darfur region, including through assisting the African Union with planning and assessments for its mission there, and, in accordance with the joint communiqué, to prepare to support implementation of a future agreement in Darfur in close cooperation with the African Union. The synergies and interactions between the implementation of the Comprehensive Peace Agreement and the situation in Darfur make effective coordination between the activities of the United Nations and the African Union in the Sudan more crucial than ever before. My Special Representative, together with the African Union leadership, has set out to work out a joint United Nations-African Union strategy aimed at restoring peace and security in Darfur.